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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

LAKE CHARLES DIVISION

UNITED STATES OF AMERICA : DOCKET NO. 2:05 CR 20137 -002

VS. : JUDGE MINALDI

CHRISTINA JOHNSON : MAGISTRATE JUDGE KAY

MEMORANDUM ORDER

This matter was remanded by the Fifth Circuit for this court to determine if the defendant's filing of her untimely notice of appeal, filed within the thirty-day period following judgment, was due to excusable neglect. This court issued an order on March 22, 2011, which ordered the defendant to file a sworn statement or affidavit advising the court of the reason that her notice was not filed within fourteen (14) days of the judgment being appealed. Johnson was to file the statement or affidavit within twenty (20) days of the March 22 order. No timely response has been filed. The response should have been filed no later than April 11, 2011. No response has been filed as of this date. Accordingly,

IT IS ORDERED that the defendant's appeal is DISMISSED WITH PREJUDICE.

Lake Charles, Louisiana, this 29 day of April, 2011.



PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE